

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39907 of 2022

Arising Out of PS. Case No.-135 Year-2021 Thana- KALUAHI District- Madhubani

Rajeev Ranjan Mahto @ Rajiv Ranjan @ Chhotu Son of Ram Mukesh Mahto
@ Mukesh Chaudhary R/O Village- Maniyarwa, P.S.- Khajauli, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the State : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State
through Virtual Court Proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Kaluahi
P.S. Case No. 135 of 2021 registered for the offence under
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 09.12.2021.

The allegation against the petitioner is to commit
robbery, alongwith other co-accused persons and, while
committing so taken away cash of Rs. 45,000/- (Rupees Forty



Five Thousand), one mobile phone, passbooks of bank and post-office alongwith pan card, etc., belongs to the informant.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in the F.I.R. and his name surfaced during the course of investigation on the basis of confessional statement of co-accusd, namely, Pawan Kumar Sahni and in furtherance thereof, nothing incriminating surfaced/recovered, which may connect this petitioner, *prima facie*, with present occurrence of robbery. It is submitted that petitioner was not put on TIP, as yet. It is further submitted that as petitioner is involved in 6 more criminal cases, his name was also involved in the present case and in maximum of the cases, the name of this petitioner surfaced on the basis of confessional statement, as of the present case. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as nothing incriminating surfaced/recovered, which may connect this petitioner, *prima facie*, with present occurrence of robbery coupled with the fact that chargesheet has already been



submitted, let the petitioner, above named, is directed to be released on bail in connection with Kaluahi P.S. Case No. 135 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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